

HB 2160 -- Health Insurance Networks

Sponsor: Diehl

This bill prohibits any person whose primary business is contracting with providers for the delivery of health care services, known as a contracting entity, from selling, renting, or giving a third party the entity's rights to a contracted participating provider's services unless:

(1) The third party is an employer or other entity that provides health care coverage to its employees or members and the employer or entity has a contract with the contracting entity for administrative or claims processing services by the provider who has a health care contract with the contracting entity and is entitled to reimbursement for contracted health care services, known as a participating provider;

(2) The third party accessing the participating provider's contracted services is an affiliate of the contracting entity or is providing administrative services to or receiving administrative services from the contracting entity or an affiliate of the contracting entity; or

(3) The health care contract between a contracting entity and the participating provider specifically specifies that it applies to a network rental arrangement and that one purpose of the contract is to sell, rent, or give the contracting entity's rights to the services of the participating provider and the third party accessing the participating provider's services is a third-party administrator, a preferred provider organization or network, or an entity that engages in the business of providing electronic claims transport between the contracting entity and the third-party administrator.

A contracting entity that sells, rents, or gives its rights to a participating provider's contracted services with the participating provider must:

(1) Maintain a webpage, updated at least every six months, that lists the third parties with whom a contracting entity contracts to sell, rent, or give the contracting entity's rights to a participating provider or maintain a toll-free telephone number accessible to all participating providers to access the same listing of third parties; and

(2) Require third parties accessing participating provider's contracted services to comply with all applicable terms and conditions of the contract except that a payer receiving administrative services from the contracting entity will be

solely responsible for payment to the participating provider.